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E-FILED 1/14/08

5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7 SAN JOSE DIVISION

10 GIUSEPPE "NINO" CAMPANELLA, ET AL.,

C 05-04906 RS, consolidated with
C 05-01945 RS

11 Plaintiffs,

12 v.

**ORDER DISMISSING "DEPUTY
MORENO"**

13 JEFFEREY LONGORIA, ET AL.,

14 Defendants.

15 _____ /
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17 On December 14, 2007, the Court issued an order to show cause why the defendant named
18 only as "Deputy Moreno" should not be dismissed from these consolidated actions based on
19 plaintiffs' failure to serve any such person or prosecute the actions against him. Plaintiffs filed no
20 response. Accordingly, good cause appearing, this action is dismissed as to defendant "Deputy
21 Moreno." This dismissal does *not* apply to the defendant deputy sheriff who has appeared and
22 defended in this action under the name "Duke" Merino, sometimes named in the caption as "Duke"
23 Marino.

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25 IT IS SO ORDERED.
26 Dated: January 14, 2008


RICHARD SEEBORG
United States Magistrate Judge

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United States District Court

For the Northern District of California

1 **THIS IS TO CERTIFY THAT NOTICE OF THIS ORDER HAS BEEN GIVEN TO:**

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9 **Dated: 1/14/08**

Richard W. Wieking, Clerk

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11 By: Chambers

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